

Remarks

Restriction Requirement Under 35 U.S.C. §121

In the February 2, 2010 Office Action the Examiner indicated that restriction to one of the following inventions is required under 35 U.S.C. §121:

- I. Claims 32-61, drawn to stimulating tissue where the current is substantially independent of the voltage across the capacitance, classified in class 607, subclass 8.
- II. Claims 62-63, drawn to stimulating tissue and using feedback to monitor the potential in order to control the current, classified in class 607, subclass 7.

Applicants' Response

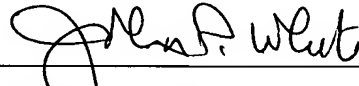
Applicants hereby elect, without traverse, Invention I, i.e. claims 32-61. Further, applicants identify these claims 32-61 as the claims encompassing the elected invention.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

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Serial No.: 10/538,521  
Filed: January 11, 2006  
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No fee, other than the enclosed \$65.00 fee for a one-month extension of time, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

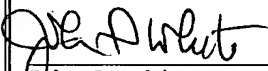
Respectfully submitted,



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March 29, 2010

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Date